

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TEXARKANA DIVISION**

STEVEN W. GRIMM

Petitioner

V.

WARDEN, FCI-TEXARKANA

Respondent

Case No. 5:22-cv-88-RWS-JBB

ORDER OF DISMISSAL

Petitioner Steven Grimm, proceeding *pro se*, filed the above-styled and numbered petition for the writ of habeas corpus under 28 U.S.C. § 2241 challenging the computation of his sentence. The case was referred to the United States Magistrate Judge in accordance with 28 U.S.C. § 636.

Petitioner sought credit for time which he spent in home confinement while on bond, through a *nunc pro tunc* designation of his home confinement facility as a place of confinement for his federal sentence. *See* Docket No. 1. He also sought credit for time spent on bond pending appeal. *Id.* After ordering and receiving an answer from the Respondent (Docket No. 5), the Magistrate Judge reviewed the pleadings and issued a Report recommending that the petition be dismissed. Docket No. 12. Petitioner received a copy of this Report on September 9, 2024 (Docket No. 13), but no objections have been received. Accordingly, Petitioner is barred from *de novo* review by the District Judge of those findings, conclusions, and recommendations and, except upon grounds of plain error, from appellate review of the unobjected-to factual findings and legal conclusions accepted and adopted by the District Court. *Duarte v. City of Lewisville, Texas*, 858 F.3d 348, 352 (5th Cir. 2017); *Arriaga v. Laxminarayan*, Case No. 4:21-CV-00203-RAS, 2021 WL 3287683, at *1 (E.D. Tex. July 31, 2021).

The Court has reviewed the pleadings in this case and the Report of the Magistrate Judge. Upon such review, the Court has determined that the Report of the Magistrate Judge is correct.

See United States v. Wilson, 864 F.2d 1219, 1221 (5th Cir.), *cert. denied*, 492 U.S. 918 (1989) (where no objections to a Magistrate Judge's Report are filed, the standard of review is "clearly erroneous, abuse of discretion and contrary to law"). Accordingly, it is

ORDERED that the Report of the Magistrate Judge (Docket No. 12) is **ADOPTED** as the opinion of the District Court. It is further

ORDERED that the above-styled petition for the writ of habeas corpus is **DISMISSED WITH PREJUDICE**.

So ORDERED and SIGNED this 28th day of October, 2024.


ROBERT W. SCHROEDER III
UNITED STATES DISTRICT JUDGE